



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,518	10/24/2000	Christian Volf Olgaard	68139769-200300	3116
23418	7590	01/16/2007	EXAMINER	
VEDDER PRICE KAUFMAN & KAMMHLZ 222 N. LASALLE STREET CHICAGO, IL 60601			MANIWANG, JOSEPH R	
			ART UNIT	PAPER NUMBER
			2144	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		01/16/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/695,518	OLGAARD ET AL.	
	Examiner	Art Unit	
	Joseph R. Maniwang	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 October 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6,8-14,17,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6,8-14,17,19 and 20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

2. Claims 1-6, 8-14, and 17, 19, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobayashi (U.S. Pat. No. 6,633,759).
3. Regarding claims 1, 9, and 17, Kobayashi disclosed a method comprising submitting information about an interface client along a first wireless communication path to a user-driven wireless device in proximity of the interface client (see column 9, lines 40-45; column 13, lines 7-17); receiving content along a second wireless communication path from a remote source and conveying the content via the wireless device to the interface client along the first wireless communication path (see column 5, lines 3-14; column 13, line 62 through column 14, line 6; column 2, lines 37-39; column 4, lines 30-31); and displaying the content on a display of the interface client at least in response to user input on the wireless device (see column 2, lines 39-40; column 4, line 32; column 13, lines 7-17; column 14, lines 9-11). Kobayashi disclosed a system comprising an interface client adapted for submitting information about the interface client (see column 4, line 21) along a first wireless communication path (see column 4, lines 24-25) to a wireless device (see column 4, line 23) in proximity of the interface client, the interface client having a displaying adapted for displaying content

received by the interface client along the first wireless communication path (see column 4, lines 30-32); and the wireless device, adapted for receiving along the first wireless communication path the interface client information (see column 9, lines 40-49), receiving the content along a second wireless communication path from a remote source (see column 4, lines 39-47) and conveying the content to the interface client along the first wireless communication path at least in response to user input on the wireless device (see column 4, lines 30-32; column 13, lines 7-17), wherein one of the interface client, the wireless device and the remote source is adapted to format the content based on the submitted information from the interface client (see column 10, line 65 through column 11, line 3).

4. Regarding claims 2 and 10, Kobayashi disclosed receiving a signal from the wireless device when the wireless device is in proximity of the interface client prior to submitting the information about the interface client to the wireless device (see column 9, lines 34-36; column 12, lines 8-10, 54-60).

5. Regarding claims 3 and 11, Kobayashi disclosed the signal from the wireless device transmitted from the wireless device in response to a prior signal transmitted from the interface client (see column 2, lines 35-37; column 9, lines 27-28; column 12, lines 1-2, 52-53).

6. Regarding claims 4 and 12, Kobayashi disclosed the signal from the wireless device including information identifying a user of the wireless device (see column 9, lines 34-36).

7. Regarding claims 5 and 13, Kobayashi disclosed the information about the interface client including information about the capabilities of the interface client (see column 9, lines 40-45) and information about an input device of the interface client (see column 12, lines 25-27; column 13, lines 7-17).
8. Regarding claims 6, 14, and 19, Kobayashi disclosed the remote source as a server (see column 4, lines 44-47).
9. Regarding claims 8 and 20, Kobayashi disclosed the content formatted based on the submitted information about the interface client (see column 12, lines 22-32).

Response to Arguments

10. Applicant's arguments filed 10/30/06 have been fully considered but they are not persuasive.
11. Regarding claims 1-6, 8-14, 17, 19, and 20 rejected under 35 U.S.C. 112, second paragraph, Examiner acknowledges Applicant's amendments to the claims. The rejection has been withdrawn.
12. Regarding claims 1-6, 8-14, 17, 19, and 20 rejected under 35 U.S.C. 102(e) as being anticipated by Kobayashi (U.S. Pat. No. 6,633,759), Applicant traverses the rejection. Applicant asserts that the requirement of the claims for a user to provide input on the wireless device, and for the display of content from the remote source to be displayed on the interface client at least in response to the user input on the wireless device is not taught by the prior art reference. Specifically, Applicant states that the user does not provide input on the cell

phone in the disclosed embodiment of columns 13-14 (hereinafter, the second embodiment). To this point, Examiner reiterates the previous position that the various aspects of Kobayashi's two preferred embodiments clearly teach the claimed elements presented. Although Applicant asserts that the two embodiments disclosed by Kobayashi are separate and unrelated, Examiner submits that as outlined in MPEP § 2123, patents are relevant as prior art for all they contain. Kobayashi teaches in the first embodiment that a user may directly control and manipulate a cellular phone (i.e., the wireless device). Examiner submits that this aspect of Kobayashi clearly suggests user input on a wireless device as claimed. Additionally, in the second embodiment, Kobayashi explicitly discloses that a manipulation request (i.e., user input) provided by the PC (i.e., interface client) is accepted by the cellular phone (i.e., wireless device) "as a command from the key manipulation unit 44 of the cellular phone main body". Examiner submits that this suggestion clearly reads on the broad recitation of "user input on the wireless device" as claimed. In other words, as a result of the wireless device accepting a request as user input on its key manipulation unit, content is then displayed on the interface client display of the PC as claimed.

13. Further to this point, Examiner notes that the breadth of the claim language allows for such an interpretation. The broad recitation of "user input on the wireless device" can be reasonably interpreted as user input existing on or sent to the wireless device, and not necessarily that the user input is performed physically on the wireless device or that the act of inputting takes place first specifically on the wireless device, etc. The newly amended claim language

Art Unit: 2144

does not require a specific mechanism for the user input to be in the system, only that such user input exists specifically on the wireless device, which Kobayashi clearly teaches as described above.

14. Therefore, Examiner submits that Kobayashi clearly teaches that content is displayed from a remote source on an interface client in response to user input on a wireless device as claimed.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yiu (U.S. Pat. No. 6,008,777)

Bachner, III et al. (U.S. Pat. No. 7,149,511)

Bowden, III et al. (U.S. Pat. No. 6,717,567)

Racunas, Jr. (U.S. Pat. No. 6,501,391)

Dvir et al. (U.S. Pat. No. 6,557,001)

Reilly (U.S. Pat. No. 6,580,422)

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

Art Unit: 2144

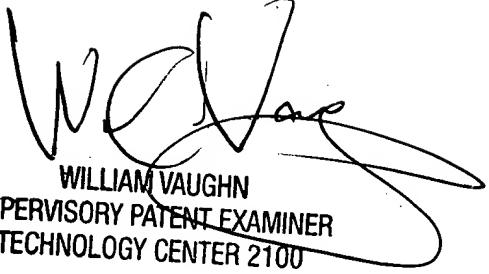
action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R. Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn can be reached on (571) 272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JM



WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100